

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SECRETED PROTEINS OF MYCOBACTERIUM TUBERCULOSIS AND THEIR USE AS VACCINES AND DIAGNOSTIC REAGENTS, the specification of which:

- is attached hereto.  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_.  
 was described and claimed in PCT International Application No. PCT/US00/12197 filed on May 4, 2000 and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/132,479	May 4, 1999	Pending
60/132,503	May 4, 1999	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William J. Hone, Reg. No. 26,739  
 Richard P. Ferrara, Reg. No. 30,632  
 Mark S. Ellinger, Reg. No. 34,812  
 J. Peter Fasse, Reg. No. 32,983  
 Anita Meiklejohn, Reg. No. 35,283

Frederick Rabin, Reg. No. 24,488  
 Stuart Macphail, Ph.D., Reg. No. 44,217  
 Charles J. Boudreau, Reg. No. 42,350  
 Janis K. Fraser, Reg. No. 34,819  
 John Freeman, Reg. No. 29,066

16

Address all telephone calls to WILLIAM J. HONE at telephone number (212) 765-5070.

Address all correspondence to WILLIAM J. HONE at:

FISH & RICHARDSON P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

## **Combined Declaration and Power of Attorney**

Page 2 of 2 Pages

Full Name of Inventor:

MARIA LAURA GENNARO

Inventor's Signature:

Pella

**Residence Address:**

New York, NY

### **Citizenship:**

Italy.

25 Centra

Apt. 11-T  
New York, NY 10023

Full Name of Inventor:

MANUEL J. GOMEZ

Inventor's Signature:

**Residence Address:**

Jersey C

#### **Citizenship:**

U.S.A.

55 River

Apt. 204 N

Jersey City, New Jersey 0

30071611.doc

Attn: US Docket No.: 07763-042001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gennaro et al.

Serial No. : 10/009384

Filed : November 2, 2001

Title : SECRETED PROTEINS OF MYCOBACTERIUM TUBERCULOSIS AND  
THEIR USE AS VACCINES AND DIAGNOSTIC REAGENTS**BOX PCT**Commissioner for Patents  
Washington, D.C. 20231DECLARATION RE INVENTOR MANUEL J. GOMEZ

I, Maria Laura Gennaro, declare as follows:

- (1) I am an inventor of the subject matter of the above patent application.
- (2) I am a member of the faculty of the Public Health Research Institute of the City of New York, Inc. ("PHRI"), a not-for-profit research institute. At the time of the invention specified by the above patent application, Dr. Manuel J. Gomez worked under my direct supervision in my laboratory at PHRI.
- (3) Dr. Gomez worked under my supervision on the scientific project that I assigned to him and that provided the basis for the above patent application. I was at all times during Dr. Gomez's employment in my laboratory aware of the results and the scientific conclusions of the research performed by him.
- (4) PHRI has a patent policy under which employees (including Dr. Gomez and myself) are obligated to assign inventions to PHRI.

Applicant : Gennaro et al.  
Serial No. : 10/009384  
Filed : November 2, 2001  
Page : 2

Attorney Docket No.: 07763-042001

- (5) After leaving my laboratory, Dr. Gomez worked in the laboratory of a colleague of mine at PHRI for approximately six months. He then returned to his native country, Spain.
- (6) Dr. Gomez left no forwarding postal address with either my colleague or myself.
- (7) Dr. Gomez had left an e-mail address with my colleague. My colleague and I wrote multiple e-mails to Dr. Gomez at this e-mail address in regard to a variety of issues, including the Declaration for the instant patent application. Dr. Gomez replied to none of these e-mails. Finally, on March 21, 2002, I sent an e-mail to the e-mail address of Dr. Gomez's wife in another attempt to establish contact with Dr. Gomez. No reply was obtained to this e-mail.
- (8) Attached as Exhibit A is a copy of the e-mail sent by me to Dr. Gomez's wife on March 21, 2002.
- (9) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

8/20/2002

Maria Laura Gennaro

Attorney's Docket No.: 07763-042001  
 Client's Ref. No.:

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SECRETED PROTEINS OF MYCOBACTERIUM TUBERCULOSIS AND THEIR USE AS VACCINES AND DIAGNOSTIC REAGENTS, the specification of which:

- is attached hereto.
- was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_.
- was described and claimed in PCT International Application No. PCT/US00/12197 filed on May 4, 2000 and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(c)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/132,479	May 4, 1999	Pending
60/132,503	May 4, 1999	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William J. Hone, Reg. No. 26,739	Frederick Rabin, Reg. No. 24,488
Richard P. Ferrara, Reg. No. 30,632	Stuart Macphail, Ph.D., Reg. No. 44,217
Mark S. Ellinger, Reg. No. 34,812	Janis K. Fraser, Reg. No. 34,819
J. Peter Fasse, Reg. No. 32,983	John Freeman, Reg. No. 29,066
Anita Meiklejohn, Reg. No. 35,283	

Address all telephone calls to WILLIAM J. HONE at telephone number (212) 765-5070.

Address all correspondence to WILLIAM J. HONE at:

**FISH & RICHARDSON P.C.**  
 45 Rockefeller Plaza, Suite 2800  
 New York, New York 10111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Attorney's Docket No.: 07763-042001  
Client's Ref. No.:

**Combined Declaration and Power of Attorney**  
Page 2 of 2 Pages

Full Name of Inventor: MARIA LAURA GENNARO

Inventor's Signature:

Date:

Residence Address:

New York, NY

Citizenship:

Italy.

Post Office Address:

25 Central Park West  
Apt. 11-T  
New York, NY 10023

Full Name of Inventor:

MANUEL J. GOMEZ

Inventor's Signature:

Date:

Residence Address:

Madrid, Spain

Citizenship:

Spain

Post Office Address:

General Moscardó 21-D, 4<sup>th</sup>B  
Madrid 28020, Spain

30173485.sdw

**BEST AVAILABLE COPY**